

July 10, 2009

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Clare Laufenberg Gallardo  
California Energy Commission  
1516 Ninth Street, MS-46  
Sacramento, CA 95814-5512

Re: RETI Phase 2B Draft Report

Dear Ms. Gallardo:

On behalf of the California Wilderness Coalition (CWC) and our more than 3,000 members and supporters in California, I am writing to provide comments to the Renewable Energy Transmission Initiative (RETI) Phase 2A Draft Report (Report). We incorporate by reference comments submitted on this project by Defenders of Wildlife, the Wilderness Society, and Center for Biological Diversity.

The California Wilderness Coalition protects the natural landscapes that make California unique, providing clean air and water, a home to wildlife, and a place for recreation and spiritual renewal. CWC is the only organization dedicated to protecting and restoring California's wild places and native biodiversity on a statewide level. Since 1976, we have empowered local communities and conservationists to be the voice for wild California. To this end, CWC employs grassroots participation, legislative advocacy, litigation, and media to protect existing and potential wilderness in California.

CWC strongly supports California's greenhouse gas emission reduction and renewable energy utilization goals, but also believes that such renewable energy production can and must occur without sacrificing our remaining wildlife resources and values. We believe the most environmentally responsible and least-costly component of the plan to reduce our consumption of carbon-based fuels is the efficient use (conservation) of electrical energy, coupled with rapid expansion of distributed photovoltaic energy production in and adjacent all centers of energy demand and use. The last, and least desirable option of all, is to build industrial-scale solar energy projects on public land and undisturbed private lands in the California Desert that contain important natural plant and animal communities.

Our comments on specific portions of the Report follow, according to subject:

**CREZ and Transmission Line Refinement:** While we greatly appreciate the effort made to refine the Competitive Renewable Energy Zones (CREZs) and the associated Transmission Line corridors, the refinement/analysis matrices contained in Appendices C and D, along with the report text and new bubble chart do not provide enough definitive information to enable the reader to understand which CREZs and transmission lines were refined and how environmental factors were used to portray the relative numerical ranking of each one, especially in the California Desert. We recommend that the draft map accompanying the Report be modified such that the boundary of each CREZ, as well as those transmission lines that are new or would require expansion of the footprint, are more clearly discernable to the reader.

The CREZ matrix evaluation categories, although somewhat improved over earlier versions, need to be expanded to reflect additional categories of land use and habitat designations, especially for the California Desert. For example, the West Mojave amendments from 2006 for BLM administered lands include the designation of 15 new Areas of Critical Environmental Concern (ACECs) for a variety of plants and animals; expansion of two existing ACECs; and designation of a Mohave ground squirrel conservation area (designated a Habitat Management Plan Area on BLM administered lands). Other amendments to the CDCA Plan stemming from similar planning efforts affect other areas of the CDCA (e.g., Northern and Eastern Mojave, Northern and Eastern Colorado, Western Colorado, etc.). Due to the somewhat complex, intricate and unique nature of conservation commitments contained in the amended CDCA Plan, we highly recommend development and use of a CREZ Refinement Matrix that is specific to the CDCA.

The task of refining the CREZs and the environmental ranking of transmission facilities ultimately results in a relative suitability rating or score. It is essential that the environmental rating factors reflect the strong mitigation measures required in the CDCA for certain areas established for conservation of numerous animals, plants and their habitats. These mitigation measures are significant, and if considered in the CREZ and transmission line refinement and ranking process, will likely shift the desirability of certain areas for renewable energy production and transmission to a lower overall ranking. We note in Appendix D of the Report numerous comments inserted calling attention to missing information on environmentally sensitive topics ranging from proximity to parks, wilderness, to endangered species, critical habitat, etc. These comments reinforce the importance of thoroughly analyzing each CREZ and transmission line, including collector lines, in the final Report. We believe this would significantly alter some of the environmental rankings contained in the Report and ultimately result in some CREZ and transmission lines being dropped from consideration.

The West Mojave amendments to the CDCA Plan, for example, established a one-percent habitat loss limit for all of the newly designated conservation areas in addition to a habitat loss compensation ratio of five-to-one. Other specific areas throughout the CDCA are similarly affected.

The CDCA Plan contains additional conservation measures that were contained in the original 1980 plan. These measures were in the form of certain designations that required various degrees of land use evaluation and adjustment in order to maintain certain plant and wildlife resources in a desired condition. Examples of these designations include: 1) Habitat Management Plan areas, 2) Special Areas, and 3) Unusual Plant Assemblages. These designations should be included in a CREZ Refinement Matrix developed exclusively for use in evaluation sites in the CDCA.

In addition, an inventory coordinated by CWC from 1999-2003 identified seven million acres that have wilderness quality as defined by the Wilderness Act. Since completing the inventory we have been able to designate approximately one million acres as wilderness. There are several CREZ that include Citizens' Proposed Wilderness Areas: CREZ 1 - Lassen South, CREZ 2 - Lassen North, CREZ 26 - San Diego North Central, CREZ 37 - Iron Mountain, and CREZ 52 - Tehachapi. We ask that Citizens' Proposed Wilderness Areas be excluded from the CREZ.

Each CREZ should have a narrative providing a rationale for either the decision to refine or not refine the CREZ based on sensitive biological resources and values, as well as existing conservation commitments contained in agency land use decisions.

We have briefly reviewed the CREZs displayed on the Report map dated 6-17-2009 and are concerned that in some cases the units and associated connector or transmission lines affect established conservation areas, various special status species, designated critical habitat, etc., and that some of these units are based almost entirely on hypothetical or proxy projects. Below we identify some concerns we have with certain CREZ and transmission lines and recommendations for their modification. We recommend that the RETI team thoroughly review the CREZ information matrices and the draft map and make necessary corrections before the final map and Report are issued.

1. **CREZ 29 – Imperial East:** CREZ is associated with one proxy wind energy project located entirely in an unspecified sensitive area on the draft map. A collector line is also shown for this proxy project. We question the potential value designating this CREZ because it is based on a hypothetical wind power project located entirely in a sensitive area. According to the CDCA Plan, the proxy project is located in known raptor nesting and foraging habitat, and a Bighorn Sheep movement corridor through the Pichacho Mountains. This zone is not within the recently announced federal solar energy study areas.
2. **CREZ 34 – Needles:** CREZ is associated with one application filed for wind energy plus one proxy wind project. They are located within the Eastern Mojave Recovery Unit and an ACEC for the threatened Desert Tortoise. Considering the 1% development cap for habitat disturbance, and the importance of the Desert Tortoise population in the eastern Mojave region. This zone is not within the recently announced federal solar energy study areas. We believe this CREZ should be deleted.
3. **CREZ 36 – Riverside East:** CREZ is large and is associated with numerous solar energy right of way applications spanning a large area from Blythe to Desert Center and north toward Eagle Mountain. Cultural resources concerns are noted in the matrix worksheet, but wildlife concerns are largely unknown or not identified. Our preliminary review suggests that there may be wildlife issues associated with some of the solar application areas on the northern fringes of the CREZ. These issues involve raptor foraging areas, Desert Tortoise, Desert Bighorn Sheep movement corridors, and microphyll woodland washes which are extremely important for migratory birds.
4. **CREZ 37 – Iron Mountain:** Major environmental organizations oppose solar energy project development in the Iron Mountain region in the CDCA. The Iron Mountain region is largely pristine landscape providing biological connectivity in the eastern Mojave involving wilderness areas, Desert Tortoise and Desert Bighorn populations. It would potentially block or significantly impact wildlife movements between the Coxcomb Mountains in Joshua Tree National Park and the Palen-McCoy Wilderness Area to the east. It is, however, one of the recently announced Solar Energy Study Areas and has numerous right of way applications for solar energy developments. Due to the wildlife concerns and remoteness of this CREZ, we strongly urge that this CREZ is deleted from consideration.
5. **CREZ 40 – Mountain Pass:** This area appears associated with proposed solar energy project development in the Ivanpah Valley north and west of Interstate 15 and some proxy wind projects at Mountain Pass. It also contains a connector line stemming from a proposed wind energy project area in the Castle Mountains/Lanfair Valley. The issues associated with this CREZ include raptor nesting and foraging, Desert Tortoise, Bighorn Sheep, and proximity to the Mojave National Preserve. The Castle Mountains/Lanfair

- Valley wind project area is of great concern to the environmental community and the National Park Service at Mojave National Preserve. This zone is not within the recently announced federal solar energy study areas. We recommend deleting this CREZ until such a time as the issues associated with potential renewable energy development in Ivanpah Valley, Mountain Pass, and the Castle Mountains/Lanfair Valley are resolved.
6. **CREZ 43 – Pisgah:** We know from recent involvement in commenting on the proposed Solar I project that many of the proposed solar and wind projects within the Pisgah CREZ that significant wildlife issues will surface, mainly with respect to wildlife movement corridors for Desert Tortoise and Bighorn Sheep, the occurrence of Desert Tortoise populations within proposed project sites, and raptor nesting and foraging. We believe a Pisgah CREZ should be considerably reduced in size in order to avoid or reduce some of the significant wildlife issues. A revised boundary should generally include the area associated with and between Interstate 40 and the railroad to the north.
  7. **CREZ 45 – Barstow:** This CREZ should clearly be eliminated due to numerous, significant conflicts with natural and cultural resources. Paramount wildlife issues involve the federally listed Lane Mountain Milkvetch and Desert Tortoise, designated critical habitat, the State listed Mohave Ground Squirrel, and numerous designated conservation areas for wildlife and cultural resources. All proxy projects in the area should be eliminated as well as the electrical collector lines linking proxy solar projects inside the boundary of the National Training Center at Fort Irwin. This zone is not within the recently announced federal solar energy study areas.
  8. **CREZ 46 – Victorville:** Although we don't object to a CREZ in this area, we believe it is overly large and based on a number of proxy wind and solar projects that would entail significant conflict with designated conservation areas for the Mojave Monkeyflower, the threatened Desert Tortoise and its designated critical habitat, and Mojave Ground Squirrel. The proxy projects within all of the sensitive wildlife resources areas should be eliminated, and the size of the CREZ greatly reduced and centered on degraded lands, most of which are in private ownership. This zone is not within the recently announced federal solar energy study areas.
  9. **CREZ 50 – Kramer:** This CREZ is based primarily on a very large number of proxy solar projects most of which are within the boundary of California City, and well as some located to the west and east of the Desert Tortoise Research Natural Area, and one geothermal site east of Randsburg. The solar proxy project area located within the Desert Tortoise Research Natural Area should be eliminated as well as those within the Mohave Ground Squirrel Core Population which is associated to a large extent with the Natural Area. To provide for integrity of an east-west movement corridor for the Desert Tortoise and Mohave Ground Squirrel, we recommend removing the solar proxy project area located immediately north of what appears to be a dashed green line depicting the southern boundary of the Fremont-Kramer DWMA or the Western Rand Mountains ACEC. The one geothermal proxy project located east of Randsburg is very likely Steam Well, and old and abandoned geothermal test well that is now located within the Squaw Spring ACEC and the Golden Valley Wilderness. It is located entirely within critical habitat for the Desert Tortoise and is part of the Fremont-Kramer DWMA. This proxy site and associated connector line should be eliminated. This zone is not within the recently announced federal solar energy study areas.
  10. **CREZ 51 – Inyokern:** This CREZ is reasonable considering the amount of potentially available private and federal land in the area that has low biological values or is in a disturbed condition. The area consisting of private and federal land located between

Ridgecrest and Inyokern and from Bowman Road north to the Inyo County line should be studied for solar energy development potential. We also recommend consideration of portions of the southwestern area of the China Lake Naval Air Weapons Station. However, we strongly recommend removing the RETI electrical connector line linking the Inyokern substation to a potential wind power project west of State Route 14, and reducing the CREZ by moving the boundary to the Redrock – Inyokern Road. This would eliminate portions of the CREZ within the Mohave Ground Squirrel Conservation Area and Core Population area as well as the Jawbone-Butterbrecht ACEC located west of State Route 14. This zone is not within the recently announced federal solar energy study areas.

11. **CREZ 52 – Tehachapi:** This CREZ should be modified by eliminating the proxy project area located within the Desert Tortoise Research Natural Area and the associated Mohave Ground Squirrel Core Population. Wind proxy projects located within the Jawbone-Butterbrecht ACEC should also be eliminated for a variety of reasons; the area was designated in 1980 because of its important wildlife resources including the Mohave Ground Squirrel and raptors (Golden Eagle, Red-tailed Hawk, Prairie Falcon, Burrowing Owl). We strongly recommend eliminating the portion of this CREZ within the ACEC. This zone is not within the recently announced federal solar energy study areas.

Transmission and collector line descriptions and evaluations are extremely abbreviated, with the latter rarely addressed except for being displayed on the draft map. Of great concern to the CWC are the proposed new transmission and connector lines, and those transmission lines that would require significant upgrade with a larger footprint. The complexity of the draft map, combined with multiple color layers for various mapped features and small print made review and analysis of the transmission lines extremely difficult or impossible. Further complicating our ability to provide meaningful comments is the lack of a separate map for transmission and connector lines in relationship to designated conservation areas, special status species occurrences, designated critical habitat, etc.

We urge the RETI team to fully explore alternatives to the new transmission lines rather than simply identifying one preferred location associated with the most direct route and lowest cost. Maximum use of existing corridors, combined with co-located facilities should be the guiding principle in transmission line proposals. Alternatives, even though less direct and more costly, should be identified, disclosed and available for future consideration.

A review of the transmission line summaries contained in Appendix D reveals some of the details leading to our concern over the magnitude and potential impact of the transmission scenario in the Report. We find that there are 80 new transmission lines identified for California, 40 of which have a “High” environmental sensitivity rating; and in the California Desert there are 40 such lines, 31 of which have been given a “High” environmental sensitivity rating. These do not include the transmission lines that would require reconstruction footprint expansion. These alarmingly high numbers for transmission line projects having serious environmental problems necessitates that an in-depth analysis of alternatives including use of existing rights of way and developed corridors be performed and provided to the public for further review and comment.

**Proxy Projects:** While we appreciate the removal of the proxy projects on Catellus lands, we continue to object to the use of proxy projects on other lands as this practice is highly speculative and artificially inflates the energy production valuation of the individual CREZs, making some score

higher in the rankings even if they lack actual interest by renewable energy developers. Furthermore, it appears a number of wind and solar proxy projects have been located in established conservation areas on public lands in the CDCA. We urge that concept of “proxy” projects is eliminated.

**Continued Failure to Prioritize Disturbed Lands:** We believe that, at the outset, the RETI process and work products suffer from a fundamental flaw: the absence of a directive or mandate requiring that previously disturbed and degraded lands be considered to the maximum practicable degree for renewable energy production and transmission. By taking a “low impact” approach at the outset, the Report could have revealed what areas in California would be the most environmentally suitable for energy development. Unfortunately, the analysis starts out by assuming the all land is potentially available and that only the “most sensitive” or most fraught with litigation potential lands would be removed from further consideration. Although we do not recommend continued use of proxy projects, as noted above, we observe that RETI apparently elected to locate only a very limited number of small acreage solar proxy projects within the entire CDCA within “Disturbed Areas” as shown on the map dated 6-17-2009.

**Private Land Parcel Issue:** The criterion that private lands need fewer than 20 separate owners per two square-miles to be considered viable for renewable energy development should be changed to a higher number. This limitation appears to be based primarily on the recommendations of solar energy developers with little or no input from the environmental community or government agencies. Simply rejecting lands with larger numbers of owners per unit area based on economic viability is a short-sighted and inappropriately shifts the focus of development opportunity to “vacant” public land often having high biological resources and values. The example of the parcelization dilemma described in the report is for a portion of the Kramer CREZ. Although it is unclear which portion of the CREZ was used in this example, we believe that many of these parcels simply lie vacant or unused, largely purchased decades ago by individuals or developers assuming they would become valuable investments or a desirable place to build a home and retire. Private lands within the boundary of the City of California City exhibit this type of situation, with many parcel owners living outside the region, state or even the U.S. Many parcels are in a tax delinquent status and subject to tax sale through the local government.

We strongly urge RETI, in conjunction with the renewable energy industry, the CEC and other agencies involved renewable energy production and transmission, to develop and implement a strategy at all levels of government to consolidate disturbed or degraded private lands, regardless of parcel size, for exclusive use as renewable energy production zones. Considering what is at stake, we believe it is worth the extra time and effort to undertake and complete this vital land consolidation strategy. This should be the highest priority. If this parcel consolidation strategy is adopted, we would expect to see a much greater emphasis placed on the renewable energy production potential on private lands within the disturbed areas shown on the draft map.

Lastly, we wish to call attention to the apparent duplicative and uncoordinated renewable energy planning activities underway by the CEC and the federal government. Although we are aware that renewable energy planning meetings held in California include participation by various representatives state and federal agencies involved in permitting energy projects, at the same time we think that the RETI Report and the recently announced federal Solar Energy Study Areas are inconsistent. We recommend that state and federal renewable energy planning activities become more integrated so that duplication of effort is held to a minimum, and planning strategies and procedures are consistent.

Please contact me at your convenience by telephone (951) 205-6004 or email ([margandona@calwild.org](mailto:margandona@calwild.org)) if you have any questions or need any additional information.

Sincerely,

Monica Argandoña  
Desert Program Director